

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re:

Anthony J. Costanzo,
Kimberly A. Katchen-Costanzo,

Debtors.

Case No. 24-11448-AMC

Chapter 13

Debtors' Objection to Claim No. 19 by Claimant U.S. Bank Trust N.A.

AND NOW, Debtors Anthony J. Costanzo and Kimberly A. Katchen-Costanzo, by and through their attorney, objects to a proof of claim filed by a creditor in this case pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007, and L.B.R. 3007-1. In support of this objection, the Debtors state as follows:

1. This case was filed under chapter 13 on April 30, 2024.
2. Claimant U.S. Bank Trust N.A. filed Proof of Claim No. 19 on July 8, 2024, for debt associated with the mortgage of the Debtors' primary residence.
3. Claim No. 19 lists the amount necessary to cure any default as of the date of the petition as \$229,586.70, which is also the total amount of the claim.
4. However, the supporting documentation attached to Claim No. 19 indicates that the mortgage does not mature until November 13, 2027.
5. Because the mortgage had not matured when the petition was filed, the Debtors are not required to pay the full amount of the claim in their chapter 13 plan.
6. The Debtors request that the Court order the Claimant to amend its claim accordingly.

NOW, THEREFORE, the Debtors request that this Court sustain their objection in the form of order attached and grant such other relief in their favor as may be necessary and proper under the law.

Date: August 6, 2024

CIBIK LAW, P.C.
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